

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
WINCHESTER DIVISION**

**DEBORAH CLARK and
EDDIE CLARK,**

Plaintiffs,

v.

**STATE FARM MUTUAL INSURANCE
COMPANY,**

Defendant.

NO. 4:15-CV-00046

**JUDGE TRAVIS R. MCDONOUGH
MAGISTRATE JUDGE SUSAN K. LEE**

JURY DEMAND

**STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY'S
MOTION TO DISMISS**

Defendant State Farm Mutual Automobile Insurance Company ("State Farm"), by and through undersigned counsel, pursuant to Federal Rule of Civil Procedure 12(b)(6), moves this Honorable Court for entry of an Order dismissing plaintiff Deborah Clark's and Eddie Clark's claims of relief pursuant to breach of contract, bad faith and breach of covenant of good faith and fair dealing, fraud, unfair and deceptive trade practices in violation of the common law and/or the Tennessee Consumer Protection Act, and the Tennessee bad faith statute. As grounds for and in support of this Motion, State Farm would incorporate by reference the memorandum of law filed simultaneously herewith and State Farm Policy Number 181 1659-B18-42, attached hereto as Exhibit A.

Respectfully submitted this 16th day of March, 2016.

LEWIS, THOMASON, KING,
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By: /s/Christopher L. Vescovo

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*Attorneys for Defendant, State Farm Mutual
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing has been served upon the following via the Court's electronic filing system, this 16th day of March, 2016.

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/s/Bradford D. Telfeyan
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